

PREVAILED

Roll Call No. \_\_\_\_\_

FAILED

Ayes \_\_\_\_\_

WITHDRAWN

Noes \_\_\_\_\_

RULED OUT OF ORDER

## HOUSE MOTION \_\_\_\_\_

MR. SPEAKER:

I move that Engrossed Senate Bill 59 be amended to read as follows:

- 1           Page 20, between lines 23 and 24, begin a new paragraph and insert:  
2           "SECTION 16. IC 36-8-1-11 IS AMENDED TO READ AS  
3           FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 11. (a) "Salary of a first  
4           class patrolman or first class firefighter" means the base salary of a  
5           patrolman or firefighter plus:  
6                (1) all longevity increases, if provided by the employer, for  
7                service of twenty (20) years or less; **and**  
8                (2) **an amount equal to the greater of zero (0) or:**  
9                    (A) **the total remuneration or allowances for clothing that**  
10                  **are paid to the patrolman or firefighter; minus**  
11                  **(B) seven hundred dollars (\$700);**  
12           but does not include remuneration or allowances for fringe benefits,  
13           incentive pay, holiday pay, insurance, clothing **(except to the extent**  
14           **allowed under subdivision (2))**, automobiles, firearms, education,  
15           overtime, or compensatory time off.  
16           (b) With respect to the 1925, 1937, and 1953 funds, "salary of a first  
17           class patrolman or firefighter" may include longevity increases for  
18           more than twenty (20) years of service at the option of the employer but  
19           only if these longevity increases had taken effect before January 1,  
20           1983.  
21           SECTION 17. IC 36-8-6-19 IS AMENDED TO READ AS  
22           FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 19. (a) Remuneration  
23           or allowances for fringe benefits, incentive pay, holiday pay, insurance,  
24           ~~clothing~~, automobiles, firearms, education, overtime, or compensatory

1 time off may not be used in the computation of benefits under this  
2 chapter.

3 (b) If the remuneration or allowances described in subsection (a)  
4 were used to compute benefits for a recipient who began receiving  
5 benefits before May 2, 1977, this computation may continue only for  
6 that recipient and only during the eligibility period for benefits. The  
7 municipality and the official involved are not liable for making the  
8 overpayment, and a recipient is not required to repay the overpayment.

9 **(c) Remuneration or allowances for clothing may be used in the**  
10 **computation of benefits under this chapter to the extent allowed**  
11 **under IC 36-8-1-11.**

12 SECTION 18. IC 36-8-7-25 IS AMENDED TO READ AS  
13 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 25. (a) Remuneration  
14 or allowances for fringe benefits, incentive pay, holiday pay, insurance,  
15 ~~clothing~~, automobiles, firearms, education, overtime, or compensatory  
16 time off may not be used in the computation of benefits under this  
17 chapter.

18 (b) If the remuneration or allowances described in subsection (a)  
19 were used to compute benefits for a recipient who began receiving  
20 benefits before May 2, 1977, this computation may continue only for  
21 that recipient and only during the eligibility period for benefits. The  
22 unit and the official involved are not liable for making the  
23 overpayment, and a recipient is not required to repay the overpayment.

24 **(c) Remuneration or allowances for clothing may be used in the**  
25 **computation of benefits under this chapter to the extent allowed**  
26 **under IC 36-8-1-11.**

27 SECTION 19. IC 36-8-7.5-21 IS AMENDED TO READ AS  
28 FOLLOWS [EFFECTIVE JULY 1, 2002]: Sec. 21. (a) Remuneration  
29 or allowances for fringe benefits, incentive pay, holiday pay, insurance,  
30 ~~clothing~~, automobiles, firearms, education, overtime, or compensatory  
31 time off may not be used in the computation of benefits under this  
32 chapter.

33 (b) If the remuneration or allowances described in subsection (a)  
34 were used to compute benefits for a recipient who began receiving  
35 benefits before May 2, 1977, this computation may continue only for  
36 that recipient and only during the eligibility period for benefits. The  
37 city and the official involved are not liable for making the

38 overpayment, and a recipient is not required to repay the overpayment.

39 **(c) Remuneration or allowances for clothing may be used in the**  
40 **computation of benefits under this chapter to the extent allowed**

- 1 **under IC 36-8-1-11."**
- 2 Renumber all SECTIONS consecutively.  
(Reference is to ESB 59 as printed February 22, 2002.)

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Representative Cochran